

Application No.: 10/033,491

1632  
Docket No.: 29853/37706 *Shu*

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Dated: July 20, 2004 Signature: *Lillian M. Curry*  
(Lillian M. Curry)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Shuyuan Zhang et al.

Application No.: 10/033,491

Confirmation No.:

Filed: December 27, 2001

Art Unit: 1632

For: **METHOD FOR TREATING PATIENTS  
WITH ADENOVIRAL VECTORS**

Examiner: Robert M. Kelly

**Response to Restriction Requirement**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This is in response to the Office Action dated July 1, 2004 in which claims 70-226 are subject to restriction and claims 87, 89, 118, 120, 149, 151, 180, 182, 211 and 213 were deemed to be generic to a plurality of disclosed patentably distinct species comprising:

- (a) seven promoters listed in claims 87, 118, 149, 180 and 211; and
- (b) 18 antisense genes and 40 genes listed in claims 89, 120, 151, 182 and 213.

Applicants elect disclosed species CMV IE from group (a) and disclosed species p53 from group (b) without traverse. All claims 70-266 read on the elected species.

Should the Examiner wish to discuss any issues of form or substance in order to expedite allowance of the pending application, he is invited to contact the undersigned attorney at the number indicated below.

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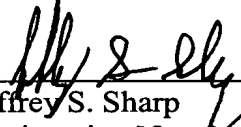
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The Commissioner is authorized to charge any fee deficiency required by the paper to  
Deposit Account No. 13-2855.

Respectfully submitted,

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